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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,425	10/16/2003	Chih-Wei Chen	3313-1044P	5712
2292 7590 07/16/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER OKORONKWO, CHINWENDU C	
			ART UNIT 2136	PAPER NUMBER
			NOTIFICATION DATE 07/16/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.: 10/685,425	Applicant(s) CHEN, CHIH-WEI	
	Examiner Chinwendu C. Okoronkwo	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ |
|--|--|

DETAILED ACTION

Response to Remarks/Arguments

1.1 In response to communications filed on 04/25/2007, applicant amends claims 1, 3 and 5; cancels claims 2. The following claims, claims 1 and 3-10, are presented for examination.

1.2 Applicant's remarks, pages 5-8, with respect to the rejection of claims 1 and 3-10 have been fully considered but they are not persuasive.

1.3 In response to Applicant argument that the Abadi and Cline references did not teach or suggest the function of the sorting mechanism in conjunction with providing object access priority according to the user, the Examiner cites column 16 lines 46-49, which discloses a "security model" used to controlled access to an object "on the basis of specific access control data [according to different users] for that object." This data is then stored in the form of access control lists (ACL).

1.4 For the reasons above the Examiner maintains the Abadi in combination with the Cline reference do indeed achieve the features of the instant application and the rejections are maintained.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 and 10 are rejected under 35 U.S.C. 102(b) as being disclosed by Abadi et al. (U.S. Patent No. 5,315,657).

Regarding claim 1, Abadi et al., discloses a method of dynamically assigning network access privileges comprising the steps of:

- establishing at least one privilege parameter table on a storage server (col. 4 lines 8-16);
- receiving an access request command from a client (col. 4 lines 50-67);
- using a sorting mechanism to generate an access privilege list according to the privilege parameter table(s) and the access request command (col. 16 lines 59-67 and col. 17 lines 1-67); and
- disclosing distributing system resources according to the access privilege list and executing access processes (col. 2 lines 1-12).

Regarding claim 2, Abadi et al., discloses the method of claim 1, wherein the privilege parameter tables provide a weight parameter for each of a access

target, a sending source of the access request command, and a sending time of the access request command as the basis for distributing the system resources (col. 16 lines 59-67 and col. 17 lines 1-67).

Regarding claim 3, Abadi et al., discloses the method of claim 2, wherein the access target includes the information of a file type and a file size (col. 16 lines 59-67 and col. 17 lines 1-67).

Regarding claim 4, Abadi et al., discloses the method of claim 3, wherein the access target further includes the information of an estimated files access time (col. 16 lines 59-67 and col. 17 lines 1-67).

Regarding claim 5, Abadi et al., discloses the method of claim 2, wherein the sending source of the access request command includes the information of a user ID and a client machine IP address (col. 6 lines 47-57).

[Examiner's Reasoning: The "other relevant security information" is understood to include a user ID and IP address of the sender as this information is essential to the operation of the disclosed and explicitly recited computer network and can thus be implied by the reference to such as network. Due to the nature of the disclose invention the "information (principle names, public keys, etc)" – as was explicitly recited

– is sufficient to disclose that an identifier exists and it is used to link a client machine with a resource request, however it is not understood to exclude a user ID or IP address.]

Regarding claim 6, Abadi et al., discloses the method of claim 1, wherein the access request command includes the access target and the sending source of the access request command (col. 12 lines 38-63).

Regarding claim 7, Abadi et al., discloses the method of claim 6, wherein the access request command further includes the sending time of the access request command (col. 12 lines 38-63).

Regarding claim 8, Abadi et al., discloses the method of claim 1, wherein the sorting mechanism includes the steps of:

- reading the access request command and obtaining the weight parameters from the privilege parameter tables according to the access request command (col. 16 lines 59-67 and col. 17 lines 1-67);
- summing up the weight parameters for each of the access request commands (col. 16 lines 59-67 and col. 17 lines 1-67); and
- sorting the weight parameter sums and updating the access privilege list (col. 16 lines 59-67 and col. 17 lines 1-67).

Regarding claim 10, Abadi et al., discloses the method of claim I, wherein the access privilege list includes the access process names, the weight parameter sums, and the system resource distribution percentages ().

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abadi et al. (U.S. Patent No. 5,315,657) and further in view of Cline et al. (U.S. Patent No. 5,550,970).

Regarding claim 9, Abadi et al., is silent in discloses the method of claim I, wherein the system resources are distributed using the following dynamical distribution proportion: $(a_1+a_2+a_3+...+a_n)/(a_1+a_2+...+a_n + b_1+b_2+...+b_n+...+m_1+m_2+...+m_n)$ where a, b, ..., and m represent distinct access processes and 1, 2, ..., and n represent different types of weight parameters, however Cline et al. does disclose such as method (col. 4 lines 51-65).

Therefore it would have been obvious to one of ordinary skill in the art, at the time of the invention to have combined the compound principals in access control lists with the method and system for allocating resources. Cline et al. provides motivation for this combination in the recitation, "In today's computing and business environment, there is often a need to allocate resources among multiple, related variables. For example, a user may desire to control the proportion of processor time allocated to each of several concurrently running programs. Another example may involve allocating or reallocating hard disk space to various file systems. If the user adds additional resources to an existing computer system, those additional resources [or user's] must be allocated [and/or authenticated]."

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chinwendu C. Okoronkwo whose telephone number is (571) 272 2662. The examiner can normally be reached on MWF 9:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on (571) 272 4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


CCO

July 9, 2007

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